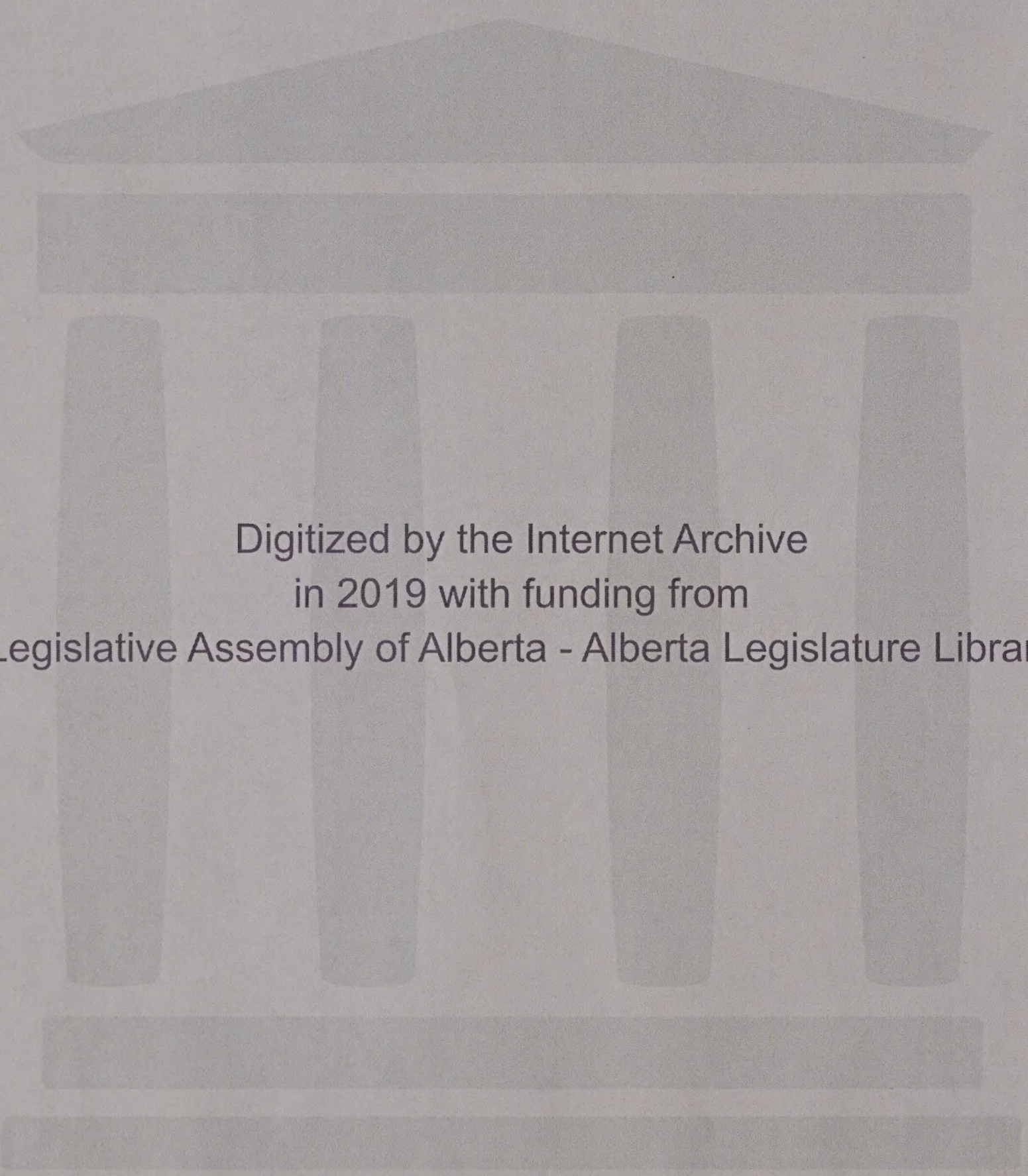


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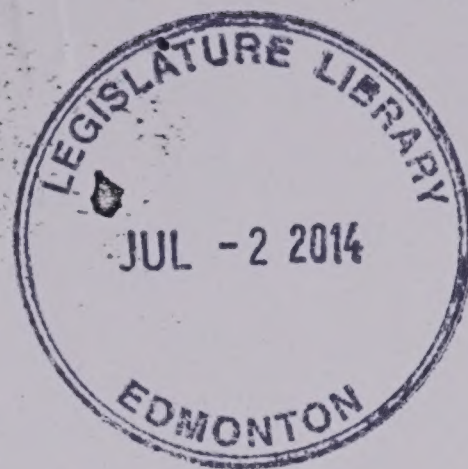
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TO HIS HONOR THE LIEUTENANT-GOVERNOR-IN-COUNCIL.

W H E R E A S Doctor David George McQueen, Stanley H. McCuaig, both of the City of Edmonton, Hugh J. Montgomery of the City of Wetaskiwin, Doctor Aubrey S. Tuttle of the City of Edmonton, J. E.A. Macleod of the City of Calgary, and Charles E. Wilson, of the City of Edmonton, were on the 29th day of April, A. D. 1926, appointed by commission issued under the Great Seal of the Province, to investigate any cases in which difficulties, differences of opinion or hardships were alleged to have arisen as affecting minorities of either the United Church of Canada, the Presbyterian Church in Canada, the Methodist Church or the Congregational Churches, particularly with reference to places of worship, property and financial conditions generally, and to endeavour, by advice and counsel, to bring about a conciliation between any disputing parties, and an amicable settlement of all questions in difference or dispute, and to report the result of any such investigation, with any recommendations that the said Commissioners may see fit to make.

NOW THEREFORE the said Commissioners respectfully beg to report as follows:

The Commission commenced its work on the first day of June, 1926, the said J. E. A. Macleod.

and Stanley H. McCuaig being appointed Chairman and Secretary respectively of the said Commission. Notice was given in the Alberta Gazette, and through the news columns of the press, that applications from congregational minority groups of any of the said Churches, would be received by the Chairman or Secretary until the 10th day of July, 1926. As a result, requests for intervention were received from congregations of the Presbyterian Church at Granum, Ranfurly, Lethbridge, Wetaskiwin, Cayley, High River, Edmonton South, Killam, Stettler, Calgary, Vermilion and Fort Saskatchewan, while the Presbytery of Red Deer of the Presbyterian Church asked for a ruling of the Commission as to the ownership of a manse at Lousana, which was claimed by the Presbyterian Church.

Your Commissioners have endeavoured to deal with all situations brought before them, with such tact and care as any applications of this nature demand, and despite the contentious nature of the applications, on the whole the sessions of the Commission were generally marked with cordiality and good will. Although the personnel of the Commission was chosen from the United and Presbyterian Church in equal numbers, your Commissioners have endeavoured to approach a solution of the difficulty at each place affected in an impartial manner, and have been fortunate in finding it possible to reach unanimous recommendations save in one or two isolated instances.

From the outset, it became apparent to your Commissioners, that it was desirable in the interests of all parties concerned, that the applications be heard on the ground, and that the representations of the contending parties be heard in person, and for that reason the Commissioners visited all of the above mentioned points save Ranfurly, Stettler, Fort Saskatchewan and Lousana, where the applications were of such a nature that they could be dealt with without a visit to the points affected. The procedure adopted when an application was received, was to forward to the applicant congregation a questionnaire, answers to which were filled in and returned to the Commission. The Secretary then forwarded a copy of such questions and answers to the respondent congregation. This enabled the Commission to have some idea of the general situation at the point affected, before it was visited, and made it possible for the respondent congregation to know something of the case which had to be met at the hearing. After this formality was completed, an itinerary was prepared, and the Commission proceeded to hear the applications throughout the Province. A careful summary of the evidence given at each sitting was taken, and the minutes of the sessions confirmed by the members of the Commission as soon as possible. The Minute Book is available, and is being handed in concurrently with this report.

In the following paragraphs the disposition made of each application is briefly set out:

1. RANFURLY:

An application was received from the Presbyterian congregation at Ranfurly, asking that the United Church of Canada (Church and Manse Board) transfer to it, Lots 8, 9 and 10, in Block 6, Ranfurly, Plan 8013-S. The application was favorably received by the Commission, and as a result of an unanimous recommendation to the United Church, a transfer to the said lots was issued in due course to Trustees for the said congregation, and was duly received by the Trustees, and the whole matter in dispute here has been satisfactorily disposed of.

2. VERMILION

An application was received from the Presbyterian congregation at Vermilion for a share of the former Presbyterian Church property, now held by the United Church of Vermilion. The application was opposed by the First United Church at that point. After hearing representations from both congregations, the Commissioners unanimously recommended to the First United Church at Vermilion that it should transfer to the Presbyterian Church at that point, the former Methodist Church, together with the land on which the Church is actually built, the Presbyterian congregation to assume liability of the mortgages totalling at the time of the application, the sum of \$800.00, the

Commissioners promising that they would endeavour to get the Church and Manse Board of the Presbyterian Church to pay off the mortgages, and further undertaking that they would endeavour to obtain from the United Church Board holding the said mortgages, a reduction in the amount of the same. It was further recommended that the chairs, organ and other furnishings of the Methodist Church should remain with the building, but that the First United Church should have the privilege of removing the Sunday School Library and dishes belonging to the Ladies Aid.

The recommendation provided that the transfer of the former Methodist Church property be effected in such manner that if within a period of three years from the date of the application the Presbyterian congregation in Vermilion should decide by a vote of 75% of its then existing membership in full communion to be taken at a regularly called meeting of the congregation to unite with the United Church of Canada, that the said Presbyterian congregation might take this property into such a union, provided however, that all sums, with a fair rate of interest, which might have been advanced to such Presbyterian congregation by the Presbyterian Church by way of loan in paying off the existing mortgages or by way of advances for improvement of the property, should be repaid to the Presbyterian Church.

The unanimous recommendations of the Commission were accepted by the Presbyterian congregation at Vermilion, the First United Church at that point declining to accede to the same.

3. WETASKIWIN:

An application was received from St. Andrews Presbyterian Church of Wetaskiwin, for a share of the former Presbyterian Church property at that point. Representatives of Knox United Church, then in the possession of the former Presbyterian and Methodist Churches, appeared on the application. After hearing representatives from both congregations, the Commissioners recommended to Knox United Church that it should transfer to the St. Andrews Presbyterian Church, the former Methodist Church building, together with the lots, parsonage and equipment, on the St. Andrews congregation undertaking to pay to Knox United Church, Wetaskiwin, the sum of \$30.00 per month for a period of six years without interest, on the completion of which said payments, the said property to be owned outright by St. Andrews Presbyterian congregation. The unanimous recommendation of the Commissioners was accepted by both congregations with some minor variations, and the situation at Wetaskiwin is satisfactorily closed.

4. KILLAM:

An application was received from Knox Presbyterian Church at Killam, for a share of property belonging to the United Church. The representatives of both congregations at Killam were present. Your Commissioners unanimously recommended that the United Church congregation at Killam should have the alternative of paying the sum of \$750.00 in cash to the Presbyterian congregation on or before the first day of April, 1927.

or paying a sum of \$1000.00 in five equal annual instalments of \$200.00 each, the first instalment of \$200.00 to be paid on or before the first day of April, 1927, and remaining instalments at an interval of every twelve months until the said sum of \$1000.00 be paid.

The unanimous recommendation of the Commissioners was accepted by the Presbyterian congregation but the United Church congregation declined to follow the recommendation.

5. NORTH HILL PRESBYTERIAN CHURCH, CALGARY.

An application was received from the above congregation for a share of the former North Hill Presbyterian property now held by it as a congregation of the United Church. Representatives of both congregations were present. The Commissioners did not consider this a case where an award of property should be recommended, but unanimously suggested to the representatives of the two congregations, a union of the applicant congregation with another congregation of the same church in the same part of Calgary, and a similar recommendation to another congregation of the United Church in the same vicinity to unite with the North Hill United Church.

Although no formal acceptance of this recommendation has been received by the Commissioners, it is assumed that the suggestion may eventually be carried out, and as far as this situation is concerned, it appears to be satisfactorily disposed of.

6. HIGH RIVER:

An application was received from the Presbyterian congregation in High River, for a share of the former Presbyterian Church property now held by the United Church. Representatives of both congregations were heard, and the Commission subsequently unanimously recommended to the United Church in High River, that the Presbyterian congregation at that point should be given a lease for three years of the Methodist Church property, no rent to be paid for such period, and at the expiration of which the ownership of the building should be in the Presbyterian Church congregation, which should have the right of moving the building to another site: that with the Church there should go one musical instrument, either piano or organ and seating accommodation. In addition it was part of the recommendation that the United Church transfer to the Presbyterian Congregation the Methodist parsonage, subject to an existing mortgage for the principal sum of \$2000.00, taxes to be paid by the United congregation to the date of the transfer, viz. August 31st. and interest on the mortgage to be paid by the United Church to the same date. In the event of a sale of the parsonage property being effected before the proposal could be considered by the respective congregations, it was recommended that the Presbyterian congregation be given any equity in the sale of the Methodist parsonage calculated on the above basis.

The unanimous recommendation of the Commissioners was in due course accepted by the Presbyterian congregation, but the United Church congregation declined to carry out the proposal.

7. CAYLEY:

An application was received from the Presbyterian congregation at Cayley for a share of the former Presbyterian property there. Representatives of both Presbyterian and United congregations were heard, and the Commissioners unanimously recommended that the proposal of the United Church at Cayley to sell to the Presbyterian congregation the former Presbyterian Hall, was one which should be accepted by the minority. The sale was to include one organ, fifty chairs, one pulpit, one heating stove, the lights then installed, one book case, one small oak table, the price to be \$1000.00 cash, payable on or before January 1st. 1927. The Commissioners recommended that there should be joint use of the building until July 1st. 1927, the Presbyterian congregation to pay the sum of \$5.00 per month meantime until they get possession, that sum to include heating and lighting.

As above stated, the United Church at Cayley was prepared to carry out the above proposal made by it but the Presbyterian congregation declined to accept.

Some time after the application was heard, a communication was received by the Commission from the Secretary of the Presbyterian congregation, requesting the intervention of the Commission in making a division of the equipment and furnishings of the former Presbyterian Hall, alleged to be owned by the Ladies' Guild, to which the Commissioners invited a reply as to whether, in the event of re-opening the matter and proceeding to deal with a division of Church equipment, a possible division would be accepted by the Presbyterian congregation, as a final

adjustment of the matters in dispute between the two congregations. Concurrently the United Church congregation was communicated with along this line, and subsequently advised the Commission as follows:- "We are agreeable to giving the continuing Presbyterian Church in Cayley, the piano, twenty-five chairs and the pulpit of the Methodist Church as a final settlement of all differences over the Cayley property, and that same will be turned over upon surrender of the Duplicate Certificate of Title and transfer covering the (former Presbyterian Hall) property to the United Church." Upon receiving from the Presbyterian congregation a refusal to consent to a settlement of its differences on the lines proposed by the United Church, the Commissioners unanimously felt that no good purpose would be served by dealing further with the situation, and intimated to the Secretary of the Presbyterian congregation that the matters raised constituted in reality another application, and that the time for receiving applications had closed on July 10th, 1926.

The Commissioners are of the unanimous opinion that, unless the Presbyterian congregation at Cayley sees fit to carry out the recommendation of the Commission, nothing further can be done at this point.

8. LETHBRIDGE:

An application was received from St. Andrews Presbyterian Church, Lethbridge, for a share of the former Knox Presbyterian property now held by Knox United Church. Representatives of both congregations were present. After reserving the matter for further

consideration the Commissioners by a vote of five to one, recommended to Knox United Church that it should transfer to the St. Andrews congregation in Lethbridge, the manse and six lots surrounding it, owned by Knox United Church, upon the St. Andrews congregation paying to Knox United Church, the sum of \$2500.00 in cash.

This majority recommendation was accepted by St. Andrews Presbyterian Church, but the Quarterly Official Board of Knox United Church has forwarded to the Commission, a copy of a resolution, intimating that after full discussion, the Board felt that it would be impossible to get the congregation to accept such a proposition, and that therefore the Commission be notified that it could not accept this proposition.

9. GRANUM:

An application was received from the Presbyterian congregation in Granum, for a share of the former Presbyterian Church property in Granum, now held by the United Church at that point. Representatives of both congregations were heard, and the Commissioners unanimously recommended to the United congregation that it should pay to the Presbyterian congregation the sum of \$500.00 spread over a five year period of \$100.00 per year, and hand over to the Presbyterian congregation the original Minute Book of the congregation if it could be located, and copies of the Minutes of later congregational meetings, and of the session down to the time of the union of the original Presbyterian congregation and original Methodist Congregation at Granum. These proposals were accepted by both congregations, and nothing further requires to be done at this point.

10. EDMONTON SOUTH (STRATHCONA PRESBYTERIAN CONGREGATION).

An application was received from the Strathcona Presbyterian congregation, Edmonton South, for a share of the former Knox Presbyterian Church property (Edmonton South), now Knox United Church. Representatives of both congregations were heard. The Commissioners divided 3-3 on the nature of the recommendations to be made.

RECOMMENDATIONS of Rev. Dr. David George McQueen, Hugh J. Montgomery and Stanley H. McCuaig:

Your Commissioners, Doctor David George McQueen, Hugh J. Montgomery and Stanley H. McCuaig are of the opinion that the Strathcona Presbyterian congregation should receive from the Knox United Church of Edmonton South, a sum of \$5000.00, in cash, to relieve what to them is a manifest hardship, suffered by a substantial constituency of Presbyterians residing on the south side of the Saskatchewan River. The establishment and maintenance of a Presbyterian Church in Edmonton South was a necessity long previous to the consummation of union. The same applies with equal force today. It cannot be expected that Presbyterians on the south side of the River will send their children to Sunday School, attend services, week night meetings, Ladies' Aid and Missionary Society meetings in First Presbyterian Church on the north side, nor is there accommodation in First Church for them. From a financial point of view, alone, many of these people cannot afford to pay street railway transportation for their children to attend Church service and Sunday School.

In arriving at the recommendation which they make, the said Commissioners are not unmindful of the fact that Knox United Church is the largest contributor in Alberta to the budget of the United Church, is free of debt and is in such a position financially as to be well able to make the said grant without in any way hindering its work. The sum of \$5000.00 with what the Presbyterian congregation could gather together, would enable it to get a small church building underway. The said Commissioners would point out that the United Church congregations carrying on side by side in Edmonton South, have church buildings and manse and parsonage, equal to anything to be found in the average urban community, and the said recommendation is made in the belief that the hardship resulting to the Knox minority from the vote on union, should be to some small extent, shared by the majority.

Your Commissioners, Doctor Aubrey S.

Tuttle, Charles E. Wilson and J. E. A. Macleod, were of the opinion that no recommendation should be made for the relief of the complainant congregation. In the view of the said Commissioners the organization of a new congregation by the minority of Knox Church, while probably convenient, was not, under the circumstances, a necessity. There are sufficient Church facilities in the City of Edmonton to accommodate the minority, who, by joining one or other of the congregations in that City which did not go into union, would share in the enjoyment of congregational property built up in part by members of these congregations who withdrew therefrom and went into the United Church of Canada. This view of the said

Commissioners is supported by the fact that a substantial portion of the minority of Knox Congregation did not join in organizing Strathcona Presbyterian Congregation, but instead joined and are still members of First Church, Edmonton (North). Doubtless also there are numbers of others, not members of Knox Church before the consummation of Union who, while resident in Edmonton South, worship in Churches situate on the North side of the River.

Your said Commissioners do not wish the foregoing to be taken as any criticism of the action of the members of Strathcona Congregation in organizing that congregation. This they had a perfect right to do, but the considerations set out become important when considering a claim upon the property of Knox congregation.

Further, while Knox is admittedly a flourishing congregation, it must be remembered that it has no endowment and that its income is altogether dependent upon the voluntary contributions of its members and that such contributions can only be counted upon so long as the objects to which they are to be applied commend themselves to the contributors.

And further, your said Commissioners desire to point out that the inconvenience created by reason of distance might, to a very large extent, be overcome by the organization of a Sunday School and also branches of the Women's Missionary Society on the South side, such as has been and is now the practice of central congregations of this City.

Your said Commissioners feel that the imposition upon this congregation of a contribution of a substantial sum for the benefit of the complainant

congregation would be placing a hardship upon Knox congregation, already weakened by the defection of a substantial minority of its members.

11. FORT SASKATCHEWAN:

An application was received from certain former supporters of the Presbyterian Church at Fort Saskatchewan, for a share of the former Presbyterian property. Representatives of the United Church at Fort Saskatchewan were present to oppose the application, which was dealt with in Edmonton, for the reason that the Commissioners became aware from the information in the questionnaire that the situation was not one which would warrant any outlay by way of expense in travelling to Fort Saskatchewan. After hearing the representations of both the applicants and the United congregation, the Commissioners unanimously declined to recommend an award of property, being satisfied that the interests of the applicants were sufficiently protected by securing from the United Church at Fort Saskatchewan, a verbal undertaking that if the Presbyterian minority in Fort Saskatchewan desired to hold a service at that point on a Sunday, that the United Church would permit a service to be held in its church building at a time convenient to them, and would grant them the use of the building, heated if necessary.

In the main, the Commissioners assume that the recommendation has satisfied the local situation at Fort Saskatchewan.

12. LOUSIANA:

A letter was received by the Secretary of the

Commission from the Clerk of the Presbytery at Red Deer of the Presbyterian Church, asking the Commission to deal with the ownership and right of possession to a manse building at Lousana, presently occupied by the United Church. The members of the Commission having heard something from sources other than from the applicant, of the nature of the dispute, are of the unanimous opinion that no good purpose would be served by their attempting to deal with the matter. The Commissioners also had in mind the fact that the application was not from a local congregation.

13. STETTLER:

An application was received from the Presbyterian congregation at Stettler, asking for a share of the former Presbyterian Church property at that point. A copy of the questionnaire forwarded to the Commission by the applicant was sent to the United Church at that point, and a date fixed for the hearing. On a date previous to the hearing, the Commission was advised that an indefinite adjournment of the application was desired by the applicant congregation. Since that time, although the Secretary of the Presbyterian congregation has been communicated with on a number of occasions, and although members of the Commission have offered to go to Stettler to hear the application, the situation appears to be one that is not being pressed by the Presbyterian Church, and the Commissioners were unanimously of the opinion that no good purpose would be served by dealing further with the matter.

GENERAL RECOMMENDATIONS of Rev. Dr. David George McQueen, Hugh John Montgomery and Stanley Harwood McCuaig:

Your Commissioners Rev. Dr. David George McQueen, Hugh John Montgomery and Stanley Harwood McCuaig, regret that an unanimous recommendation cannot be made. They desire however, for themselves, to place on record their appreciation of the spirit manifested by the other Commissioners.

In our opinion steps should be taken to see that relief should be afforded to Presbyterian congregations at Lethbridge, Killam, Edmonton South, High River and Vermilion.

In the cases of Killam, High River and Vermilion, the unanimous recommendation of the Commissioners should have been acceded to. In connection with Lethbridge, the recommendation which was arrived at by five of the Commissioners should have been carried out. In connection with Edmonton South, we cannot but feel that the minority is entitled to a sum of \$5000.00. The Commission, having used every reasonable effort by way of persuasion and conciliation to reach a satisfactory solution of the problem in connection with each application, and having found it impossible to effect settlement at the said five centres, we, the said Rev. David George McQueen, Hugh John Montgomery and Stanley Harwood McCuaig do recommend to His Honor the Lieutenant-Governor-in-Council, that unless the General Board of the United Church of Canada undertakes forthwith to pay in cash by way of a reasonable allowance, in view of the hardship resulting from the

vote on union, to the following congregations of the Presbyterian Church, the amounts set out below totalling \$17,750.00:

Lethbridge	\$7500.00
Vermilion.	750.00
Edmonton South.	5000.00
High River.	3750.00
Killam.	<u>750.00</u>
	<u>\$17,750.00</u>

that the United Church of Canada Act Statutes of Alberta, 1924, Chap. 41, be amended so as to provide that the comparatively large liquid assets of Robertson Presbyterian College, Edmonton, to the extent of \$17,750.00 be made available immediately for the relief of the said congregations in the proportions as outlined above.

GENERAL RECOMMENDATIONS of Dr. Aubrey S. Tuttle, Charles E. Wilson and J. E. A. Macleod:

Your Commissioners last mentioned desire to state that the recommendations to the various congregations above set forth, concurred in by them, were so made and concurred in as the basis of conciliation between the contending congregations, and are not to be taken as in every case setting forth their idea of just settlements of the several complaints. In some cases they were the result of agreements entered into between the contending congregations with the help of the Commission: in one case (that of Cayley) the recommendation adopted an offer by the congregation of the United Church of Canada, which commended itself as being generous to your said

Commissioners, and also, we believe, to the other members of the Commission; and in other cases they were what appeared to be possible solutions of local difficulties.

If the jurisdiction of the Commission had been to make binding orders instead of being merely advisory with a view to conciliation, your said Commissioners would feel that no relief should be given in cases where the dissenting minority can unite with another congregation of the same denomination, and where that was not possible, in cases in which any action would result in merely transferring the hardship to the majority by compelling them to raise and pay a sum of money or alienate property necessary to the proper carrying on of the congregational activities.

After the full opportunity given by your Commission for the bringing of complaints to its attention and the exhaustive examination given by it to complaints received, only four cases remain unsettled, in which your Commissioners either unanimously or by a majority made a recommendation of settlement to the congregation concerned and one in which the Commissioners divided evenly on the question of whether any relief should be given. The subject matter in dispute in each case is local property, in which no denominational body at large has any proprietary interest. The justice of mulcting a corporation such as Robertson College to relieve hardship sustained by a local minority does not commend itself to your said Commissioners. Further, while no complaints have been made by them to your Commissioners, doubtless

hardships similar to those considered by your Commissioners have been sustained by minorities of congregations which did not go into the United Church of Canada.

Your Commissioners therefore, in view of the said facts, believe that any coercive action in the premises could not be other than haphazard and incomplete and recommend that no such action be taken.

In conclusion your said Commissioners wish to express their appreciation of the spirit of conciliation shown in many instances by members of local congregations who appeared before the Commission, and of the fairmindedness of their fellow Commissioners whose regret that no unanimous recommendation can be made they fully share.

DATED this Twenty-fourth day of January,

A. D. 1927.

RESPECTFULLY SUBMITTED:

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